

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

ANGEL ALVARADO,

vs.

MICHAEL B. MUKASEY,

Petitioner,

Respondent.

CASE NO. 08CV0851 DMS (CAB)

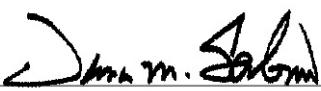
**ORDER DENYING PETITION  
FOR WRIT OF HABEAS CORPUS**

Petitioner has filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. Department of Homeland Security (DHS) has removed Petitioner from the United States to Mexico. Because Petitioner is no longer in DHS custody, the “custody” prerequisite of habeas jurisdiction no longer exists. *See* 29 USC § 2241; *Miranda v. Reno*, 238 F.3d 1156 (9th Cr. 2001).

Therefore, the Petition is denied as moot. The clerk shall terminate this case.

**IT IS SO ORDERED.**

DATED: September 2, 2008

  
HON. DANA M. SABRAW  
United States District Judge

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